

***Village of Barrington  
Plan Commission  
Minutes***

Date: July 8, 2003

Time: 6:30 p.m.

Location: Village Board Room  
200 South Hough Street  
Barrington, Illinois

In Attendance: Anna Bush, Chair  
Curt Larsen, Vice Chair  
Bhagwant Sidhu  
Harry Burroughs  
Steve Mack  
Steve Morrissey

Staff Members: Keith Sbiral, Senior Planner  
Jeff O'Brien, Planner/Zoning Coordinator

***Call to Order***

Ms. Bush called the meeting to order at 6:30 p.m.

Roll call noted the following: Anna Bush, Chairperson, present; Curt Larsen, Vice Chair, present; Bhagwant Sidhu, present; Harry Burroughs, present; Steve Mack, present; John Rometty, absent; Steve Morrissey, present.

There being a quorum, the meeting proceeded.

Ms. Bush announced the order of the petitions and the procedure. She noted that there would be a change in the agenda – PC 03-05 will be before PC 03-03.

***Old Business***

**PC 03-02 BACOG Impact Fee Proposal – Public Meeting.**

*Petitioners: Village of Barrington & Janet Agnoletti, Executive Director, BACOG.*

Ms. Agnoletti gave a brief overview of the BACOG Impact Fee ordinance and the process that had created it. Ms. Agnoletti discussed what the ordinance would do and its status in other BACOG villages. She stated that she would be willing to answer any questions that Plan Commission had.

Ms. Bush asked for staff comment.

Mr. Sbiral responded to Plan Commissioners' questions. He discussed the two issues – tear downs and land values. Mr. Sbiral stated that due to administrative and legal constraints, staff believes the ordinance should be implemented as proposed by BACOG.

Ms. Bush asked if there was a possibility that revisions could be made later.

Mr. Sbiral explained that it could and when it would be appropriate to amend the ordinance.

Mr. Morrissey asked when the effective date would be.

Mr. Sbiral said after the BOT considered the ordinance and placed an effective date on it.

Mr. Morrissey asked about the effective date and if the Lishartke development would be required to pay fees.

Mr. Sbiral said that since Lishartke was an annexation, it would have to pay fees.

Mr. Morrissey asked about the other modifications that had been made by other villages.

Ms. Agnoletti discussed the minimal and minor changes.

Ms. Sidhu wanted to clarify that these changes were specific to the other villages and not being considered by the Village of Barrington.

Mr. Sbiral said that this was true.

Mr. Larsen asked about collection of the fees.

Mr. Sbiral explained when the fee would be collected.

**MOTION: Larsen moved to approve PC 03-02, adopting staff's findings as the Plan Commission's. Morrissey seconded.**

**Morrissey – yes**

**Sidhu – yes**

**Burroughs – yes**

**Rometty – absent**

**Mack – yes**

**Larsen – yes**

**Bush – yes**

**Motion carries 6-0.**

*New Business*

**PC 03-05 Fifth Third Bank (333 West Northwest Highway) – Public Hearing.**

*Petitioners: Nancy Harbottle, Petitioner's Attorney; Ted Carson, Fifth Third Bank.*

Ms. Bush swore in Fifth Third petitioners.

Ms. Harbottle presented the case and pointed out the lots that were to be rezoned on an enlarged site plan. She presented the affidavit of notice and the green cards.

Ms. Bush asked for commissioner questions and clarified what the Plan Commission was looking at.

Mr. Larsen asked about access to Northwest Highway.

Ms. Harbottle clarified access to Northwest Highway.

Mr. Burroughs asked if there were a lot of residentially zoned lots on Northwest Highway.

Mr. Harbottle said that this was simply one small area of residential zoning in the vicinity.

Ms. Sidhu asked about an alley in the area, which may run along the south side of the property.

Ms. Harbottle stated that there was no alley on the subject. She also stated that the lots were effectively being used as commercial lots.

Ms. Bush asked for public comment. There was no comment.

Mr. Sbiral said that all rezoning standards in the Zoning Ordinance were met and staff recommends approval.

Mr. Larsen stated that this would be a major improvement to the property.

**MOTION. Larsen moved to approve PC 03-05, adopting staff's findings as the Plan Commission's.**

**Sidhu seconded.**

**Morrissey – yes**

**Sidhu – yes**

**Burroughs – yes**

**Rometty – absent**

**Mack – yes**

**Larsen – yes**

**Bush – yes**

**Motion carries 6 – 0.**

Ms. Bush called for a recess at 6:50 PM.

Mr. Larsen recused himself.

Mr. Morrissey recused himself.

Ms. Bush reconvened the meeting at 7:00 PM.

***Old Business***

**PC 03-03 Barrington Park District (511 Lake Zurich Road) – Public Hearing.**

*Petitioners: Barrington Park District.*

Ms. Bush asked speakers to spell their name. She also stated that comments should be brief so that a decision could be made tonight.

Ms. Bush swore in anyone wishing to speak on this case.

*Susan Jantornie, Park District's Attorney.*

Ms. Jantornie stated that the evidence and witnesses had been written down and presented to the Village. She discussed the various exhibits that had been presented to the Plan Commission. Ms. Jantornie stated that the petitioner will reserve the right for rebuttal or cross-examination until the end of the meeting.

Mr. Sbiral pointed out that the Plan Commission had been furnished with a letter from the National Trust and from Mr. Rachlis.

Ms. Jantornie noted that the Park District would reserve the right to address those letters in their rebuttal.

Ms. Bush stated for the record that Mr. Larsen and Mr. Morrissey had recused themselves this evening as they had in all of the previous meetings regarding this matter.

*Doug Skor, 248 West Lincoln Avenue, Citizens for Greater Barrington Area Community Center.*

Mr. Skor stated that this group was hoping that the Plan Commission would not vote in favor of the "unfinished, preliminary" Park District plan. He stated that the Park District has not performed its due diligence on determining the status of the building. Mr. Skor stated that the plan had been presented to the Park District Board last Tuesday and that this group has been trying to sit down and discuss options with the Park District, but so far the Park District had not cooperated. He stated that the group would like to present:

1. A response to the Park District testimony that was presented on June 24, 2003.

2. A comparison and a contrast between the two plans that were being presented.
3. The adaptive reuse of the Jewel Tea Building.
4. Explain the business model and how it would be implemented.
5. The historical issues surrounding the building.

*Joe Kelsch, 21021 Crestview Drive.*

Mr. Kelsch stated that he lived in the Park District and voted for the referendum. He stated that he had been approached as President of the Barrington Area Development Council regarding the adaptive reuse of the Jewel Tea Building. Mr. Kelsch stated that there had been no open dialogue and cooperation with the Park District regarding the plan to reuse the building. Mr. Kelsch stated that there were grey areas that needed to be addressed. He stated that the Park District's concerns about keeping the building were not black and white. Mr. Kelsch stated that he was unsure if the Park District had adequately answered their concerns.

1. Does the building lend itself to recreational uses or is it too big?
2. Are the cost prohibitive?
3. Can the necessary funds be raised?
4. Does the building belong in an open space park?
5. Is reusing the building a violation of the referendum and bonding?

Mr. Kelsch discussed a need for consensus. He presented a copy of his comments to the Plan Commission for the record.

*Mr. Karl Heightman, 701 S. Cook St.*

Mr. Heightman addressed some of the points of the Park District's plan. Mr. Heightman discussed some of the Park District's master plans for indoor recreation centers. He stated that the Park District's plan was not finished and a final plan should be approved before the building is demolished. Mr. Heightman pointed out some holes in the Park District's testimony. Specifically, he addressed room size and the accommodation of recreational use. Mr. Heightman gave testimony that some larger, recreational-type rooms already existed in the Jewel Tea Building in the form of hand-ball courts, a bowling alley, and auditoriums.

Mr. Heightman discussed parking issues with the community center. He stated that the parking would be designed to be overlapping, office parking would take place during the daytime and park traffic would be on the site in the evening and week-ends. Mr. Heightman stated that they did not want to duplicate parking issues that occurred at Beese Park. He showed a conceptual drawing of the renovated Jewel Tea Building.

*Doug Gotham, Landscape Architect, Cavass Engineer, 1250 S. Grove.*

Mr. Gotham discussed the Park District plan. He stated that he would compare and contrast the plan. Mr. Gotham also stated that the plans for indoor recreation at Langendorf Park would have a large impact on that land. He discussed points of the alternative plan with the Jewel Tea Building reused.

Mr. Gotham discussed the layouts of the two plans. He stated that they were very similar. Mr. Gotham discussed the amount of parking. He stated that there was more parking on the alternative plan, but it would allow for one facility with overlap parking. Mr. Gotham pointed out that other than the retention of the Jewel Tea Building, the Park District Plan was very similar to the alternative plan.

*Greg Cook, Architect, Managing Directing Principal from Holibred and Root.*

Mr. Cook discussed the reuse of the building. He discussed the possibility for renovation of the building. Mr. Cook stated that the Jewel Building was built with substantial materials, which was a trademark of Holibred and Root's buildings. He presented adaptive reuses that his firm had performed on other large buildings in the area. Mr. Cook stated that it was not unusual to have historic buildings in the middle of the park. Mr. Cook mentioned that Wilmette's park district was doing a similar project. He also stated that there was another project in a park setting in DuPage County.

*Mr. Dan Delcore, Vice President of Pepper Construction.*

Mr. Delcore presented an outline of the business plan for the community center. He stated there were three phases.

Phase One:

1. Partner with the Park District.
2. Establish a Barrington Area Community Foundation as a 501.01 non-profit foundation.
3. Raise initial funding of \$6.5 Million - \$3 from public grants and \$3.5 from private contributions.
4. Purchase the Jewel Tea Building and three acres of land that it sits on.
5. Restore the Jewel Tea Building and Gardens (the estimate was submitted to the BOT as an exhibit).

Phase Two:

1. Rent first floor to local non-profit agencies.
2. Secure capital for first-floor tenant build-out.
3. Build out first floor and basement parking (an estimate was submitted to the BOT).
4. Surrender debt as building is turned over to tenants (operating expenses will be paid with rent and the building will pay for itself).

Phase Three: Completion of the building, secure capital for tenant build-out and renovation on floors 2-5.

Mr. Delcore stated that the group for the community center should be allowed more time to have the alternative plan put into action.

Mr. Gotham returned to the podium to discuss grant possibilities and receiving matching funds from public and private sectors. He stated that cooperation with the Park District was crucial to this project.

*Jim Peterson, 20240 Lea Road, Deer Park.*

Mr. Peterson stated his experience as an architect. He discussed the historic value of building. Mr. Peterson stated that he had inspected the building in 1999 for its landmark value. He stated that the building was structurally sound and that it was able to be reused. Mr. Peterson stated the elements of the buildings historic value. Mr. Peterson discussed the reason for the building's exclusion from the Historic Structures Survey of 1985. He went over the standards for attaining landmark status.

*David Bahlman, Landmark Preservation Council.*

Mr. Bahlman stated that the historic value of the building. He also stated that the building was eligible for the National Register of Historic Places. Mr. Bahlman said that the Jewel Tea Building was on a watch list. He discussed the new effort to reuse Old Cook County Hospital. Mr. Bahlman stated that this was a better plan for Barrington.

*Mr. Mike Rachlis, attorney spoke with respect to the legal issues of preservation. 542 South Dearborn, Chicago.*

Mr. Rachlis noted that one of the reasons that Cook County is reconsidering their decision relative to demolition of the building is because they are looking into if they complied with the State rules regarding preservation. He noted that the IHPA has noted that the Jewel Tea building is a resource.

Mr. Rachlis discussed the issues regarding the process that should be undertaken when an adverse effect could be applied to a historic building. He stated that the IHPA's statute requires alternatives to be considered when an adverse effect is proposed for a historic building. Mr. Rachlis stated that in a March 2003, the IHPA stated that the building was a historic resource. He stated that the June 23, 2003 stated that a viable option was available for the Jewel Tea Building and a good faith effort must be made to explore those options. Mr. Rachlis said that the IHPA regulations need to be considered before any action can be taken. He put three letters into the record – March 10, 2003; June 5, 2003; June 23, 2003.

Ms. Bush asked if the IHPA regulations bar the Plan Commission from taking actions.

Mr. Rachlis said that the statutes would bar the Park District from demolishing the building. He stated it would be a reason why the Plan Commission would not want to approve the plan.

Ms. Bush asked about IHPA's status as a state entity.

Mr. Rachlis said that it was part of the state.

Ms. Bush stated that the IHPA did not have any jurisdiction over the Village of Barrington Plan Commission.

*Mr. Heath Davis, Attorney for the citizens' group.*

Mr. Davis discussed the transfer of title and the process that the Park District was following. Mr. Davis stated that he was told that the Park District cannot give property to a private entity without referendum and public auction. He said that if the property was 3 acres or less, it could be transferred. Mr. Davis stated that his firm had handled these cases.

Mr. Davis discussed leasing of the property and the Park District had refused leasing.

Mr. Davis discussed the procedure that the Park District was following for the Planned Development. He stated that the process had been bifurcated to expedite the process. Mr. Davis stated that the preliminary plan and final plan had been merged.

Ms. Jantornie objected to the proceedings.

Ms. Bush said that it was not within her powers to stop citizens from speaking at a public hearing.

Mr. Davis discussed the accusations of meddling and costing the Park District money. Mr. Davis discussed obtaining grants and the need for cooperation to obtain grants. Mr. Davis stated that Ms. Jennings was aware that her grant funding was in trouble.

Mr. Davis discussed the "mandate" that the Park District was given by the referendum.

Mr. Davis pointed out Point #9 of the Special Use standards. He stated that response from the Petitioner was that the building was not in the Historic District.

*Warren Hayes, 545 South Cook St.*

Mr. Hayes discussed his petition to save the building. He also discussed the vote-count of the referendum. Mr. Hayes gave a presentation about his efforts to raise awareness about the preservation of the Jewel Tea Building.

Mr. Skor stated that the most frustrating fact was that the Park District was not cooperating with them. He stated that they had been working with the Park District. Mr. Skor said that the plan was putting the cart before the horse. He stated that the Plan Commission deny the Park District's request and that the Plan Commission require the Park District to sit down with the citizens' group to discuss alternatives. Further, Mr. Skor asked that a third party be used to mediate discussions.

*Mr. Bill Hartman, 1200 South Hough Street.*

Mr. Hartman had worked at the American Can Company. He stated that the large corporation could not afford to pay for the 175,000 square foot building. Mr. Hartman had spent time at the Jewel Tea Building. He stated that the plan to preserve the building was horrible. Mr. Hartman was upset that preserving the building was going to cost a lot of money. Mr. Hartman read a quote from Bill Graft from the Barrington Courier-Review relative to creating open space on the Jewel Tea property. He stated that there was never a plan to preserve the main building. Mr. Hartman stated that there will not be a park if the building is preserved.

*Kim Shaddick, 417 Elm Road.*

Ms. Shaddick stated that the Park District had met with Jewel Park Homeowner's. She stated the other group had not contacted them. Ms. Shaddick stated that traffic would be terrible. She also stated that the

plans for an amphitheatre would be a major burden on the surrounding homes. Ms. Shaddick stated that she was in favor of the park.

*Alan Sabo, 585 Elm Road.*

Mr. Sabo stated that the building was in sad shape and that no one will move into it. The building was a white elephant. Mr. Sabo stated that he would like to see the building gone.

*Kathy Swiger, 665 Baton Rouge Lane.*

Ms. Swiger had been in the building about ten years ago. She stated that she was horrified by condition of the building then. Ms. Swiger did not want to argue the possibilities rehabbing the building. She wanted to ensure that the open space would be used. Ms. Swiger wished that the Plan Commission would carry out the community's request for a park.

*Gil Kann, 21032 North Crestview Drive.*

Mr. Kann was not against a community center of a right size. He did not think that it could be saved and used in a park. Mr. Kann stated that a 200,000 square foot building was not compatible with a park. Mr. Kann also pointed out that there was excess office space in the Village of Barrington and tenants might be hard to attract. He urged the Plan Commission to allow demolition of the building.

*Victor Costello, 684 Bent Ridge Lane.*

Mr. Costello discussed what would be done with the Jewel Tea Building if it were saved. He was worried about the viability of the business plans and the ability to raise public and private monies. Mr. Costello urged the Plan Commission to go forward with the plan as presented.

*Jeff Anderson, 668 Stillwater Lane*

Mr. Anderson recapped the efforts of Barrington Citizens for Open Space to obtain the property and create a park. He was worried that the building would be more than a community center. Mr. Anderson wondered who the upper floors would be leased to. Mr. Anderson urged the Plan Commission to move the process forward.

*Emily Scoby, 225 Linden Road*

Ms. Scoby said that the citizens had voted for a park, not an office building and community center. She did not vote to allow the Park District to sell the building. Ms. Scoby stated a community center should be in the Golden Triangle – in the community. She stated that the building itself was not historical – what had happened on the land and the idea of Jewel Tea was important and historical. Ms. Scoby said that the community had trouble raising money for a playground and wondered how the community center would be paid for.

*Eric Chernick, 437 Elm Road*

Mr. Chernick stated that Jewel Park had not been approached by the alternate group. He discussed the mailing that had been completed by the Historical Society. Mr. Chernick stated that he felt the survey was not accurate. He stated that he had heard from 15 of the 90 homeowners in Jewel Park. 13 were for the demolition and 2 were for hearing more information on the project. Mr. Chernick urged the Plan Commission to move forward.

*Chris Alecksov, 290 Steeplechase Road.*

Mr. Alecksov stated that Historic Preservation could bring the community together. He was very torn by this issue and thought that there were positives to both plans. Mr. Alecksov stated that the demolition should be delayed because this was such an important decision. He wondered if more work could be done to ensure that the Village was making the right choice.

*Peg Cullen, 987 Bosworthfield Road.*

Ms. Cullen stated that Barrington Citizens for Open Space had worked hard. She stated that the Park District had given a good presentation that was accurate. Ms. Cullen reiterated that the bonds were issued and that any change in the plan would result in a \$600,000 penalty. She also stated that the referendum was

a “binding mandate.” Ms. Cullen was worried that the building would be auctioned to a private developer. She wondered if the citizens’ group had sat down and listened to the Park District. Ms. Cullen said that it was time to move on.

Mr. Sbiral clarified a few points. He stated that the petition was for the rezoning of the property and to approved Phase I of planned development, which includes demolition. Mr. Sbiral stated that the plans that had been presented were not under consideration. He continued to say that traffic generation analysis has not been completed. Mr. Sbiral clarified the process. He stated that the process was very common for the Village of Barrington. Mr. Sbiral states that the preliminary and final plan stages are typically wrapped together. He stated that all of the steps have been properly followed. Mr. Sbiral stated that the Park District could only go forward with demolition – no uses were approved until the planned development was amended. He clarified that the Park District will be required to come back to the Plan Commission before any development can take place.

Mr. Sbiral went over the 18 standards for planned developments. He called out Standard #9 and stated that not every standard has to be met, which is unlike the other lists of standards in the Zoning Ordinance. Mr. Sbiral called out staff’s response to Standard #9 in the Staff Report dated June 24, 2003. Mr. Sbiral said that the focus should remain on the proposal by the Park District.

Ms. Bush clarified that there were really two proposals in front of the Plan Commission.

Mr. Sbiral said that there were, but he linked them together in the Staff Report.

Ms. Jantornie discussed Standard #9. Ms. Jantornie quoted a March 14, 2002 letter from the Barrington Historical Society that stated that they were clear demolition of the buildings on the property would take place. She also reiterated the Park District’s due diligence in regards to the issue of the buildings. Ms. Jantornie discussed that a community forum and referendum had solved any issues regarding adaptive reuse and that there was evidence that the community did not want this property to be a community center.

Ms. Jantornie stated that the key factor in this was that a feasibility study had not been completed. She stated that there was various paperwork regarding the adaptive reuse, but the basic study had not been completed. Ms. Jantornie presented rebuttal of the letter from Mr. Rachlis in the June 23, 2003 letter from the IHPA. She stated that the letter from the IHPA only encouraged a dialogue to take place between the Park District and parties with alternative plans. Ms. Jantornie said that the statutes that were cited by Mr. Rachlis pertained to state agencies and the Park District was not a state agency under Illinois State Law. She stated that there was no impediment to the Plan Commission making a decision this evening.

Ms. Jantornie stated that the Park District had been working hard to find bring a conclusion to this case.

Ms. Bush gave Mr. Skor time to organize his final comments.

Mr. Heightman asked staff why there was an ARC review.

Mr. Sbiral discussed the review and why it took place. Mr. Sbiral reviewed what the ARC found. He stated that this recommendation would be forwarded to the BOT with the Plan Commission recommendation.

Mr. Heightman asked citizens to compare the two plans and to realize that there were flaws in the Park District Plan. He stated that the Village of Barrington was putting the cart before the horse. Mr. Heightman said that no buildings should be demolished without any plans being approved.

Mr. Rachlis stated that the Park District’s referendum was obviously not clear if one of the buildings would be preserved. Mr. Rachlis discussed the statutes that allow sale or leasing of the land. He went on to discuss the IHPA regulations – they require the Park District to go through the IHPA process since they



were trying to get grants. Mr. Rachlis said that Phase II could not be properly considered without the building on the land.

Mr. Rachlis said that there was no evidence presented that would preclude that the building would leased for commercial use.

Mr. Skor said that the community center group is not requesting any money from taxpayers.

Mr. Skor stated that an open dialogue be pursued between the two projects.

Ms. Bush closed public hearing.

Ms. Bush asked for commissioner comments.

Mr. Burroughs said that this was not a new issue to the Plan Commission. He stated that the conclusion had been for open space and adaptive reuse of the building. Mr. Burroughs stated that a lot of issues need to be worked on both plans. He was concerned with the economics of the projects.

Ms. Sidhu discussed her experience with historic preservation and adaptive reuse. She stated that this building was historic, no matter how bad the building looked. Ms. Sidhu stated that both sides should work together.

Mr. Mack had no comment.

Ms. Bush stated that she was very disappointed with both groups for the lack of communication between the two groups. She said that the argument for demolition was fifty-fifty. Ms. Bush discussed her reason for voting for the referendum. She did not want to delay the process any more, but had a hard time approving demolition without seeing the Phase II plan. Ms. Bush said that she did not like the park plan. She went on to say that the building looked bad because it has not been kept up. Ms. Bush said that the community should look for direction from the IHPA. Ms. Bush said that this was the hardest decision that the Plan Commission has ever made. She urged the two groups to work together.

**MOTION #1: Commissioner Mack moved to recommend approval of the rezoning of property from O-R Office Research District and O-S Open Space with a Special Planning Area designation to R-C Recreation/Conservation eliminating the SPA Special Planning Area designation and adopting staff's findings as the findings of the Plan Commission. Commissioner Burroughs seconded the motion.**

**Sidhu – yes**

**Burroughs – yes**

**Mack – yes**

**Bush – yes**

**Motion Carries 4-0.**

**MOTION #2: Commissioner Mack moved to recommend approval of Phase One of a Special Use/Planned Development for demolition of existing building(s) and adopting staff's findings as the findings of the Plan Commission with the condition that the Park District obtain a Memorandum of Agreement from the Illinois Historic Preservation Agency. Commissioner Sidhu second.**

**Sidhu – yes**

**Burroughs – yes**

**Mack – yes**

**Bush – yes**

**Motion Carries 4-0.**

### ***Adjournment***

Mr. Mack moved to adjourn the meeting. Ms. Sidhu seconded the motion. Voice vote recorded all Ayes. The motion carried. The meeting was adjourned at 10:35 p.m.

Respectfully submitted,

Jeff O'Brien, Planner/Zoning Coordinator

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Anna Bush, Chairperson  
Plan Commission